Secretary of Veterans Affairs for fiscal year 2006 such sums as may be necessary to carry out sections 2 through 6.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall be available only to carry out sections 2 through 6.

(c) CONSTRUCTION WITH OTHER FUNDING FOR HEALTH CARE FOR VETERANS IN HAWAII.—It is the sense of Congress that the amount authorized to be appropriated by subsection (a) for fiscal year 2006 should—

(1) supplement amounts authorized to be appropriated to the Secretary of Veterans Affairs for that fiscal year for health care for veterans in Hawaii for activities other than those specified in sections 2 through 6; and

(2) not result in any reduction in the amount that would have been appropriated to the Secretary of Veterans Affairs for that fiscal year for health care for veterans in Hawaii for such activities had the amount in subsection (a) not been authorized to be appropriated.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. OBAMA:

S. 1194. A bill to direct the Nuclear Regulatory Commission to establish guidelines and procedures for tracking, controlling, and accounting for individual spent fuel rods and segments; to the Committee on Environment and Public Works.

Mr. OBAMA. Mr. President, today I introduce a bill that is long overdue and would require American nuclear power plants to follow the same procedures that we would like to impose on nuclear power plants in other countries.

Each year, the Nation's nuclear power plants produce over 2,000 metric tons of spent fuel, which is the used fuel that is periodically removed from nuclear reactors. According to the Government Accountability Office, GAO, spent nuclear fuel is ''one of the most hazardous materials made by humans.'' Within minutes, the intense radiation in the fuel can kill a person without protective shielding; in smaller doses, the fuel can cause cancer.

In the hands of terrorists, such highly radioactive materials, when coupled with conventional explosives, could be turned into a dirty bomb that could pose a critical threat to public safety.

In April of this year, GAO issued a report concluding that ''[n]uclear power plants' performance in controlling and accounting for spent nuclear fuel has been uneven.'' In recent years, three U.S. nuclear power plants—Millstone, Vermont Yankee, and Humboldt Bay—have reported missing spent fuel. The Millstone fuel was never located, the Vermont Yankee fuel was located three months later in a different location, and the Nuclear Regulatory Commission (NRC) is still investigating the missing Humboldt Bay fuel. In all three cases, the missing spent fuel had been contained in loose fuel rods or fuel rod segments.

Currently, NRC provides little or no guidance on how nuclear power plants should conduct physical inventories of their spent fuel or how they must control, store, and account for loose spent fuel rods and fragments. NRC also does not conduct routine inspections to monitor compliance with regulations relating to spent fuel.

As a result of its investigation, GAO made a series of recommendations for how NRC should improve its regulation and oversight. My bill—the Spent Nuclear Fuel Tracking and Accountability Act—would implement those recommendations and require NRC to establish: 1. specific and uniform guidelines for tracking, controlling, and accounting for spent fuel rods or segments; and 2. uniform inspection procedures to verify compliance with these guidelines. Within six months, NRC would be required to report to Congress on its progress in establishing these guidelines.

Tracking spent nuclear material used in the United States is just as important as tracking spent nuclear material in the former Soviet Union. This is a common-sense solution to an important problem.

I urge my colleagues to support this measure.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1194

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Spent Nuclear Fuel Tracking and Accountability Act''.

SEC. 2. SPENT FUEL RODS.

(a) GUIDELINES.—Not later than 260 days after the date of enactment of this Act, the Nuclear Regulatory Commission shall establish—

(1) specific and uniform guidelines for tracking, controlling, and accounting for individual spent fuel rods or segments at nuclear power plants, including procedures for conducting physical inventories; and

(2) uniform inspection procedures to verify any action taken by a nuclear power plant to implement those guidelines.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Nuclear Regulatory Commission shall submit to Congress a report describing the progress of the Nuclear Regulatory Commission in establishing the guidelines under subsection (a).

By Mr. STEVENS (for himself and Mr. INOUYE) (by request):

S. 1195. A bill to provide the necessary authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. STEVENS. Mr. President, by request of the Administration, Senator INOUYE and I introduce today the ''National Offshore Aquaculture Act of 2005'', a bill to provide the regulatory framework for the development of aquaculture in the United States Exclusive Economic Zone (EEZ). Concurrently, we have introduced an amendment to this bill to allow coastal States to decide whether or not they want offshore aquaculture in the EEZ off that State's coastline. We are cosponsoring Senator SNOWE's amendment to strike the Jones Act waiver for vessels supporting offshore aquaculture facilities contained in the Administration's bill. I am also a cosponsor of Senator INOUYE's amendment to better clarify language that environmental protections apply. As we review the Administration's measure in detail, there may be additional amendments offered to this bill and I look forward to working with my colleagues to address any concerns with the legislation.

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 1196. A bill to provide for disclosure of fire safety standards and measures with respect to campus buildings, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. CORZINE. Mr. President, I rise today to introduce the ''Campus Fire Safety Right-to-Know Act of 2005''. I first introduced this legislation in the 107th Congress in response to a tragic fire at New Jersey's Seton Hall University that claimed the lives of three students and injured more than fifty others. This legislation is designed to curb the epidemic of dangerous college campus fires.

Since the Seton Hall fire, campus fires have continued to take the lives of our college students and their families. According to the Center for Campus Fire Safety, more than 75 fire-related deaths have occurred in student housing at colleges across the country since January of 2000. Campus fires have claimed lives in nearly half the States of this Nation, from New Jersey to Texas, Indiana to Pennsylvania, and Ohio to right here in Washington, DC. This legislation will finally bring to light the extent of this tragic danger facing our Nation's best and brightest.

The ''Campus Fire Safety Right-to-Know Act'' requires disclosure of fire safety information on campuses as well as a report from the Secretary of Education to Congress on the depth of the problem and possible solutions. The bill implements the same procedure that requires schools to disclose crime statistics and other safety information. While the bill does not mandate colleges to upgrade their systems, it does offer a powerful incentive for them to do so by providing prospective students and their parents the opportunity to review and compare the quality and record of fire safety protections at all colleges and universities.

Only 35 percent of university-sponsored student housing that suffer fires are equipped with sprinkler systems.

Each year, approximately 1,600 fires break out in dormitories, fraternity and sorority houses, and other housing controlled by student groups. Parents and students deserve to know what steps their school has taken to prevent and prepare for these harmful and often fatal catastrophes.

The ''Campus Fire Safety Right-to-Know Act'' will put important fire safety information in the hands of students and their parents who entrust their children to our Nation's colleges and universities. I believe this bill will make important strides in the effort to make our college campuses safer and I urge my colleagues to support it.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1196

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Campus Fire Safety Right-to-Know Act of 2005''.

SEC. 2. DISCLOSURE OF FIRE SAFETY OF CAMPUS BUILDINGS.

Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended—

(1) in subsection (a)(1)—

(A) by striking ''and'' at the end of subparagraph (N);

(B) by striking the period at the end of subparagraph (O) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(P) the fire safety report prepared by the institution pursuant to subsection (h).''; and

(2) by adding at the end the following new subsection:

''(h) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES.—

''(1) ANNUAL FIRE SAFETY REPORTS REQUIRED.—Each institution participating in any program under this title shall, beginning in the first academic year that begins after the date of enactment of the Campus Fire Safety Right-to-Know Act of 2005, and each year thereafter, prepare, publish, and distribute, through appropriate publications (including the Internet) or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual fire safety report. Such reports shall contain at least the following information with respect to the campus fire safety practices and standards of that institution:

''(A) A statement that identifies each institution owned or controlled student housing facility, and whether or not such facility is equipped with a fire sprinkler system or other fire safety system, or has fire escape planning or protocols.

''(B) Statistics for each such facility concerning the occurrence of fires and false alarms in such facility, during the 2 preceding calendar years for which data are available.

''(C) For each such occurrence in each such facility, a summary of the human injuries or deaths, structural or property damage, or combination thereof.

''(D) Information regarding rules on portable electrical appliances, smoking and open flames (such as candles), regular mandatory supervised fire drills, and planned and future improvements in fire safety.

''(E) Information about fire safety education and training provided to students, faculty, and staff.

''(F) Information concerning fire safety at any housing facility owned or controlled by a fraternity, sorority, or student group that is recognized by the institution, including—

''(i) information reported to the institution under paragraph (4); and

''(ii) a statement concerning whether and how the institution works with recognized student fraternities and sororities, and other recognized student groups owning or controlling housing facilities, to make building and property owned or controlled by such fraternities, sororities, and groups more fire safe.

''(2) FRATERNITIES, SORORITIES, AND OTHER GROUPS.—Each institution participating in a program under this title shall request each fraternity and sorority that is recognized by the institution, and any other student group that is recognized by the institution and that owns or controls housing facilities, to collect and report to the institution the information described in subparagraphs (A) through (E) of paragraph (1), as applied to the fraternity, sorority, or recognized student group, respectively, for each building and property owned or controlled by the fraternity, sorority, or group, respectively.

''(3) CURRENT INFORMATION TO CAMPUS COMMUNITY.—Each institution participating in any program under this title shall make, keep, and maintain a log, written in a form that can be easily understood, recording all on-campus fires, including the nature, date, time, and general location of each fire and all false fire alarms. All entries that are required pursuant to this paragraph shall, except where disclosure of such information is prohibited by law, be open to public inspection, and each such institution shall make annual reports to the campus community on such fires and false fire alarms in a manner that will aid the prevention of similar occurrences.

''(4) REPORTS TO THE SECRETARY.—On an annual basis, each institution participating in any program under this title shall submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(B). The Secretary shall—

''(A) review such statistics;

''(B) make copies of the statistics submitted to the Secretary available to the public; and

''(C) in coordination with nationally recognized fire organizations and representatives of institutions of higher education, identify exemplary fire safety policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus fires.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to fire safety.

''(6) DEFINITIONS.—In this subsection, the term 'campus' has the meaning provided in subsection (f)(6).''.

SEC. 3. REPORT TO CONGRESS BY THE SECRETARY OF EDUCATION.

(a) DEFINITION OF FACILITY.—In this section the term ''facility'' means a student housing facility owned or controlled by an institution of higher education, or a housing facility owned or controlled by a fraternity, sorority, or student group that is recognized by the institution.

(b) REPORT.—Within two years after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Congress a report containing—

(1) an analysis of the current status of fire safety systems in facilities of institutions participating in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), including sprinkler systems;

(2) an analysis of the appropriate fire safety standards to apply to such facilities, which the Secretary shall prepare after consultation with such fire safety experts, representatives of institutions of higher education, and other Federal agencies as the Secretary, in the Secretary's discretion, considers appropriate;

(3) an estimate of the cost of bringing all nonconforming such facilities up to current building codes; and

(4) recommendations from the Secretary concerning the best means of meeting fire safety standards in all such facilities, including recommendations for methods to fund such cost.

By Mr. BIDEN (for himself, Mr. HATCH, Mr. SPECTER, Mr. LEAHY, Mr. DEWINE, Mr. KOHL, Mr. GRASSLEY, Mr. KENNEDY, Mrs. BOXER, Ms. STABENOW, Mr. SCHUMER, and Mrs. MURRAY):

S. 1197. A bill to reauthorize the Violence Against Women Act of 1994; to the Committee on the Judiciary.

Mr. BIDEN. Mr. President, I am pleased to announce today the introduction of the Biden/Hatch/Specter Violence Against Women Act of 2005. Many in this chamber are well aware that I consider the Violence Against Women Act the single most significant legislation that I've crafted during my 32–year tenure in the Senate. This law is my baby, so to speak, and I take very seriously my responsibilities to ensure that it is adequately funded and renewed. What was once an infant statute seeking legitimacy in the public eye and in the halls of government is now a feisty ten-year law that has made its presence known from Long Beach, CA to Dover, DE. But in September 2005, the Act will expire. Congress and the President must act quickly in the next three months to renew the backbone of our country's fight to end domestic violence and sexual assault, the Violence Against Women Act. We simply cannot let the Act lapse or become buried in partisan bickering.

The enactment of the Violence Against Women Act in 1994 was the beginning of a national and historic commitment to women and children victimized by domestic violence and sexual assault. Thus far, our commitment has yielded extraordinary progress. Since the Act's passage, domestic violence has dropped by almost 50 percent. Incidents of rape are down by 60 percent. The number of women killed by an abusive husband or boyfriend is down by 22 percent. More than half of all rape victims are stepping forward to report the crime. Over a million women have found justice in our courtrooms and obtained domestic violence protective orders.

The Violence Against Women Act provides critical resources so that our communities may implement big and small improvements that can make all the difference in the world. For instance, in my home State of Delaware,

the Act's rural grant program helped the Delaware State Police establish fully-equipped, dedicated domestic violence units in two counties. The STOP program provided a Hispanic shelter with funding to purchase a van to pick up battered women and their children who have nowhere else to turn.

Today, we uphold our commitment to America's families. Despite the incredible strides made, far too many women remain afraid to go home or afraid to tell anyone about the rape that happened at last night's party. We cannot let the Violence Against Women Act become a victim of its own success. Instead, we need to usher the Act into the 21st century and implement it with the next generation—recent police academy graduates who want to be trained on handling family violence, newly elected State legislators who want to update State laws on sexual assault, and the next generation of children who must be taught that abuse will not be tolerated.

Today's achievement—introduction of a bipartisan, compromise bill that both reinvigorates existing programs and creates bold initiatives to tackle new issues—has been a year in the making. As I drafted this next iteration of the Violence Against Women Act, I listened closely to the recommendations of those on the front lines to end the violence—police, emergency room nurses, victim advocates, shelter directors, and prosecutors—and made targeted improvements to existing grant programs and tightened up criminal laws. A wide variety of groups worked hard with Senator SPECTER, Senator HATCH and I to create this bill, including the National Coalition Against Domestic Violence, the National Network to End Domestic Violence, the Family Violence Prevention Fund, Legal Momentum, the National Alliance to End Sexual Violence, the National Center for Victims for Crime, the American Bar Association, the National District Attorneys Association, the National Council on Family and Juvenile Court Judges, the National Association of Chiefs of Police, the National Sheriffs' Association and many others.

Before previewing the particulars of today's bill, I want to explain a few of my principles guiding the drafting of the Violence Against Women Act of 2005. First, I remain dedicated to the cornerstone programs in the Act such as the STOP grant program, the Rural Grant program and the National Domestic Violence Hotline. These are enormously successful initiatives that are the scaffolding of the Act. These foundations must be strengthened, not neglected.

Second, ending domestic violence and sexual assault has, and will continue to cost money. This is simply not a goal that can be accomplished on the cheap. Our success in ending family violence is not a signal to reduce funding; rather the opposite is so. We can't afford to lose the gains that we have made. We've found a winning combination, and Congress should continue to spend its money so effectively.

Third, today's bill is an ambitious, but reasoned, effort to solve the next level of challenges for battered women and their children. We've made tremendous strides in treating domestic violence and sexual assaults as public crimes with accountable offenders and creating coordinated community responses to help victims. Our next task is to look beyond the immediate crisis and provide long-term solutions for victims, as well as redouble our prevention efforts. Therefore, this bill includes important efforts to ease the housing crisis for victims fleeing their homes, provide more economic security for victims by preserving their employment stability, engage boys and men in initiatives to prevent domestic violence from occurring in the first place, and enlist the healthcare community in identifying and treating victims.

My final principle is that ending violence against women is truly a shared goal—one that is held by Democrats and Republicans, one that is upheld by men and women, and one that is desired by both government and by the private sector. The continued success of the Violence Against Women Act depends upon bipartisanship commitment.

Today's bill includes the following components. Title I on the criminal justice system includes provisions to: 1. Renew and increase funding to over $400 million a year for existing fundamental grant programs for law enforcement, lawyers, judges and advocates; 2. stiffen existing criminal penalties for repeat Federal domestic violence offenders; and 3. update the criminal law on stalking to incorporate new surveillance technology like Global Positioning Systems (GPS).

Title II on critical victim services will: 1. Create a new, dedicated grant program for sexual assault victims that will strengthen the 1,300 rape crisis centers across the country; 2. reinvigorate programs to help older and disabled victims of domestic violence; 3. strengthen existing programs for rural victims and victims in underserved areas; and 4. increase funding to $5 million annually for the National Domestic Violence Hotline.

Reports indicate that up to ten million children experience domestic violence in their homes each year. Experts agree that domestic violence affects children in multiple, complicated and long-lasting ways. Every risk, every injury, and every disruption that a battered woman endures is one that her children experiences as well. The complex impact of domestic violence—fear for one's safety at home, depression, loss of income, moving from the family home, school disruptions and grieving for a father—are complicated and traumatic for children. Treating children who witness domestic violence, dealing effectively with violent teenage relationships and teaching prevention strategies to children are keys to ending the violence. Title III includes measures to: 1. Promote collaboration between domestic violence experts and child welfare agencies; and 2. enhance to $15 million a year, grants to reduce violence against women on college campuses. Title IV focuses on prevention strategies and includes programs supporting home visitations and specifically engaging men and boys in efforts to end domestic and sexual violence.

Doctors and nurses, like police officers on the beat, are often the first witnesses of the devastating aftermath of abuse. As first responders, they must be fully engaged in the effort to end the violence and possess the tools they need to faithfully screen, treat, and study family violence. Title V strengthens the health care system's response to family violence with programs to train and educate health care professionals on domestic and sexual violence, foster family violence screening for patients, and more studies on the health ramifications of family violence.

In some instances, women face the untenable choice of returning to their abuser or becoming homeless. Indeed, 44 percent of the Nation's mayors identified domestic violence as a primary cause of homelessness. Efforts to ease the housing problems for battered women are contained in Title VI, including: 1. Collaborative grant programs between domestic violence organizations and housing providers; 2. programs to combat family violence in public and assisted housing; and 3. enhancements to transitional housing resources.

Leaving a violent partner often requires battered women to achieve a level of economic security. Title VII seeks to help abused women maintain secure employment by permitting battered women to take limited employment leave to address domestic violence, such as attend court proceedings, or move to a shelter. This is an issue long championed by the late Senator Wellstone and Senator MURRAY, and I glad that we are able to include this provision in today's bill.

Despite the historic immigration law changes made in the Violence Against Women Act of 2000 that opened new and safe routes to immigration status, battered immigrant women often have a very difficult time escaping abuse because of immigration laws, language barriers, and social isolation. Title VIII's immigration provisions go a long way toward wresting immigration control away from the batterer and pave the way for the victim to leave a violent home. In addition, it would ensure that victims of trafficking are supported with measures such as permitting their families to join them in certain circumstances, expanding the duration of a T-visa, and providing resources to victims who assist in investigations or prosecutions of trafficking cases brought by State or Federal authorities.

In an effort to focus more closely on violence against Indian women, Title IX creates a new tribal Deputy Director in the Office on Violence Against Women dedicated to coordinating Federal tribal policy. In addition, Title IX authorizes tribal governments to access and upload domestic violence and protection order data on criminal databases, as well as create tribal sex offender registries.

I am proud to introduce with Senators HATCH and SPECTER this comprehensive bill to reauthorize the Violence Against Women Act. I want to thank Senator HATCH, a longstanding champion on this issue, for diligently working on this bill with Senator SPECTER and me. Since 1990, Senator HATCH and I have worked together to end family violence in this country, so it is no great surprise that once again he worked side-by-side with us to craft today's bill. I am also deeply indebted to Senator KENNEDY for his unwavering commitment to battered immigrant women and his work on the bill's immigration provisions. I also thank Senator LEAHY who has long-supported the Violence Against Women Act and in particular, has worked on the rural programs and transitional housing provisions. Finally, I thank my very good friend from Pennsylvania for his commitment and leadership on this bill. It is a pleasure to work with Senator SPECTER. I know that he will adeptly and expeditiously move the Violence Against Women Act through his Committee.

In closing, I urge my colleagues to review today's Violence Against Women Act of 2005 and add their support. I understand that there are other proposals that should be considered before the full Senate debates this legislation. Refinements will certainly be made to improve what is currently in this bill. I welcome any suggestions that you may have, and look forward to coming back to the floor to urge final passage of the Violence Against Women Act of 2005.

Mr. LEAHY. Mr. President, I am proud to join Senators BIDEN, HATCH, SPECTER and other cosponsors to introduce today the bipartisan VAWA, the Violence Against Women Act of 2005.

Our Nation has made remarkable progress over the past 25 years in recognizing that domestic violence and sexual assault are crimes, providing legal remedies, social supports and coordinated community responses. Millions of women, men, children and families, however, continue to be traumatized by abuse, leading to increased rates of crime, violence and suffering.

I witnessed the devastating effects of domestic violence early in my career as the Vermont State's Attorney for Chittenden County. Violence and abuse affect people of all walks of life every day and regardless of gender, race, culture, age, class or sexuality. Such violence is a crime and it is always wrong, whether the abuser is a family member, someone the victim is dating, a current or past spouse, boyfriend, or girlfriend, an acquaintance or a stranger.

The National Crime Victimization Survey estimates there were 691,710 non-fatal, violent incidents committed against victims by current and former spouses, boyfriends or girlfriends now termed intimate partners by DOJ—during 2001. Eight-five percent of those incidents were against women. The rate of non-fatal intimate partner violence against women has fallen steadily since 1993, when the rate was 9.8 incidents per 1,000 people. In 2001, the number fell to 5.0 incidents per 1,000 people, nearly a 50 percent reduction. Tragically, however, the survey found that 1,600 women were killed in 1976 by a current or former spouse or boyfriend, while in 2000 some 1,247 women were killed by their intimate partners.

VAWA became law in 1994 and was reauthorized in 2000. It has provided aid to law enforcement officers and prosecutors, encouraged arrest policies, stemmed domestic violence and child abuse, established training programs for victim advocates and counselors, and trained probation and parole officers who work with released sex offenders. This Congress we have the opportunity to reauthorize VAWA and make improvements to vital core programs, tighten criminal penalties against domestic abusers, and create new solutions to challenges in other crucial aspects of domestic violence and sexual assault, such as treating children victims of violence, augmenting health care for rape victims, holding repeat offenders and Internet stalkers accountable, and helping domestic violence victims keep their jobs.

I am particularly proud to note that included in VAWA 2005 are reauthorizations for two programs that I authored. In a small, rural Sate like Vermont, our county and local law enforcement agencies rely on cooperative, interagency efforts to combat and solve significant problems. That is why I authored the Rural Domestic Violence and Child Victimization Enforcement Grant Program as part of the original VAWA. This program helps services available to rural victims and children by encouraging community involvement in developing a coordinated response to combat domestic violence, dating violence and child abuse. Adequate resources combined with sustained commitment will bring about significant improvements in rural areas to the lives of those victimized by domestic and sexual violence.

The Rural Grants Program section of VAWA 2005 reauthorizes and expands the existing education, training and services grant programs that address violence against women in rural areas. This provision renews the rural VAWA program, extends direct grants to state and local governments for services in rural areas and expands areas to include community collaboration projects in rural areas and the creation or expansion of additional victim services. This provision includes new language that expands the program coverage to sexual assault, child sexual assault and stalking. It also expands eligibility from rural states to rural communities, increasing access to rural sections of otherwise highly populated states. This section authorizes $55,000,000 annually for 2006 through 2010, which is an increase of $15 million per year.

The second grant program I authored that is included in VAWA 2005 is the Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Sexual Assault or Stalking. This program, which became law as part of the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today, the PROTECT Act of 2003, authorizes grants for transitional housing and related services for people fleeing domestic violence, sexual assault or stalkers. At a time when the availability of affordable housing has sunk to record lows, transitional housing for victims is especially needed. Today more than 50 percent of homeless individuals are women and children fleeing domestic violence. We have a clear problem that is in dire need of a solution. I want this program to be part of the solution.

Transitional housing allows women to bridge the gap between leaving violence in their homes and becoming self-sufficient. VAWA 2005 amends the existing transitional housing program administered by the Office on Violence Against Women in the Department of Justice. This section expands the current direct-assistance grants to include funds for operational, capital and renovation costs. Other changes include providing services to victims of dating violence, sexual assault and stalking; extending the length of time for receipt of benefits to match that used by Housing and Urban Development transitional housing programs; and updating the existing program to reflect the concerns of the service provision community. The provision would increase the authorized funding for the grant from $30,000,000 to $40,000,000.

Now it is time to strengthen the prevention of violence against women and children and its devastating costs and consequences. This legislation goes beyond simple words of recognition and efforts to increase awareness of the problem of violence to save the lives of battered women, rape victims and children who grow up with violence. I look forward to working further with fellow Senators on VAWA 2005 and I urge the Senate to take prompt action on this legislation.

Mr. KENNEDY. Mr. President, I strongly support the Violence Against Women Act of 2005, and I commend Senator BIDEN, Senator SPECTER, and Senator HATCH for their bipartisan leadership on these major issues.

Violence against women is a very real and very serious continuing problem in the United States. The statistics are shocking.

Every 15 seconds, somewhere in America, a woman is battered, usually by her intimate partner.

Every 90 seconds, somewhere in America, someone is sexually assaulted.

On average, three women are murdered by their husbands or boyfriends in America every day.

One out of every six American women have been the victims of a rape in their lifetime.

These statistics are not just numbers. These violent acts are happening to mothers, sisters, daughters, and friends. We cannot tolerate this violence in our communities.

In 1994, Congress allocated funds to initiate efforts to prevent violence against women and families. The programs established under the Violence Against Women Act, and later expanded and reauthorized in 2000, have worked, and so will this legislation, because it takes needed additional steps to prevent such violence. It enhances law enforcement and judicial procedures to combat violence against women, and it also reinvigorates programs to help older and disabled victims of domestic violence.

Forty-four percent of the Nation's mayors identified domestic violence as a primary cause of homelessness. This bill eases housing problems for battered women.

Victims of domestic violence need time off from work to obtain medical attention, counseling, and other support. This bill will provide that flexibility.

Doctors, nurses, and other health professionals are often the first responders for treating the injuries women suffer from domestic and sexual violence. It is essential for those who help them to be able to respond effectively and compassionately. When health providers screen for domestic violence and follow up on such cases, women are more likely to be safer over the long term. This bill includes new funds for training health professionals to recognize and respond to domestic and sexual violence, and to enable public health officials to recognize the need as well. The research funds provided by this bill are vital because we need the best possible interventions in health care settings to prevent future violence and help the victims.

Violence against women can occur throughout women's lives, beginning in childhood, continuing in adolescence, and in numerous contexts and settings. It is important for any bill on such violence to focus on girls and young women as well, and this bill does that.

In 1994, we included an important innovative provision in the bill to fund a National Domestic Violence Hotline. When the hotline opened in February 1996, victims of domestic violence across the nation finally had help available toll-free, 24 hours a day, 365 days a year. This legislation increases funding for that very important support.

Another important section of the bill provides greater help to immigrant victims of domestic violence, sexual assault, trafficking and similar offenses. This section builds on the current Act and is designed to remove the obstacles in immigration laws that prevent such victims from safely fleeing the violence in their lives, and to dispel the fear that often prevents them from prosecuting their abusers.

Eliminating domestic violence is especially challenging in immigrant communities, where victims often face additional cultural, linguistic and immigration barriers to seeking safety. Abusers of immigrant spouses or children are liable to use threats of deportation against them, trapping them in endless years of violence. Many of us have heard horrific stories of violence in cases where the threat of deportation was used against immigrant spouses and children—''If you leave me, I'll report you to the immigration authorities, and you'll never see the children again.'' Or the abuser says, ''If you tell the police what I did, I'll have immigration deport you.''

Congress has made significant progress in enacting protections for these immigrant victims, but there are still many women and children whose lives are in danger. Our bill extends immigration relief to all victims of family violence, including victims of elder abuse, incest and stalking. It ensures economic security for immigrant victims and their children by providing work authorization for victims with valid immigration cases. It makes it easier for victims of trafficking to obtain federal benefits if they assist in the investigation or prosecution of trafficking crimes.

I commend the sponsors of this legislation for working with us on this issue and for making domestic violence in immigrant communities an important priority in our overall effort to combat violence against women.

We have a responsibility in Congress to do all we can to eradicate domestic violence. Our bill gives the safety of women and their families the high priority it deserves, and I urge my colleagues to support it.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 1198. A bill to amend the Solid Waste Disposal Act to authorize States to restrict receipt of foreign municipal solid waste, to implement the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, and for other purposes; to the Committee on Environment and Public Works.

Ms. STABENOW. Mr. President, I rise today to introduce the International Solid Waste Importation and Management Act. I want to thank Senator Levin for cosponsoring this bill and for his tireless work to stop Canadian trash imports into our State. The purpose of our bill is to finally put an end to the river of garbage flowing from Canada into Michigan's landfills.

Our legislation is a companion bill to H.R. 2491 which is being voted on in the Subcommittee on Environment and Hazardous Material of the House Energy and Commerce Committee today. I am extremely pleased that Congress is starting to take action on this critical bill.

I cannot overstate the importance of this legislation to Michigan. The number of trash trucks entering our State has continually increased. In fact, since the summer of 2003 the number of trash trucks coming from Canada has jumped from 180 per day to about 415 per day. The result is that Michigan is the third largest importer of trash out of all of the States in the Nation.

Not only does this waste dramatically decrease Michigan's own landfill capacity, but it has a tremendous negative impact on Michigan's environment and on the public health of its citizens. Canadian waste also hampers the effectiveness of Michigan's state and local recycling efforts, since Ontario does not have a bottle law requiring recycling. Trash trucks also present a security risk at our Michigan-Canadian border, since, by their nature, trucks full of garbage are harder for Customs agents to inspect then traditional cargo.

Michigan already has protections contained in an international agreement between the United States and Canada, but they are being ignored. Under the Agreement Concerning the Transboundary Movement of Hazardous Waste, which was entered into in 1986, shipments of waste across the Canadian-U.S. border require government-to-government notification. The Environmental Protection Agency (EPA) as the designated authority for the United States would receive notification of a trash shipment and then consent or object to the shipment within 30 days. Unfortunately, these notification provisions have never been enforced by the EPA.

This legislation will give Michigan residents the protection they are entitled to under this bilateral treaty. The bill would allow the State of Michigan to pass laws to stop the Canadian trash shipments until the EPA finally enforces this treaty. Once the EPA begins enforcing the treaty, they would have to consider certain criteria when deciding whether to consent or object to a shipment, such as the State's views on the shipment, and the shipment's impact on landfill capacity, air emissions, public health, and the environment. These waste shipments should no longer be accepted without an examination of the impacts on the health and welfare of Michigan families.

Michiganians and the Michigan Congressional delegation are united in our opposition to Canadian trash shipments. We have waged a continuous battle to end trash importation and we will continue to fight until we succeed. I urge my colleagues on the Senate Environment and Public Works Committee to take action on this crucial legislation as quickly as they can.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''International Solid Waste Importation and Management Act of 2005''.

SEC. 2. CANADIAN MUNICIPAL SOLID WASTE.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding at the end the following:

''SEC. 4011. CANADIAN MUNICIPAL SOLID WASTE.

''(a) DEFINITIONS.—In this section:

''(1) AGREEMENT.—The term 'Agreement' means—

''(A) the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, signed at Ottawa on October 28, 1986 (TIAS 11099) and amended on November 25, 1992; and

''(B) any regulations promulgated and orders issued to implement and enforce that Agreement.

''(2) FOREIGN MUNICIPAL SOLID WASTE.—The term 'foreign municipal solid waste' means municipal solid waste that is generated outside of the United States.

''(3) MUNICIPAL SOLID WASTE.—

''(A) IN GENERAL.—The term 'municipal solid waste' means—

''(i) material discarded for disposal by—

''(I) households (including single and multifamily residences); and

''(II) public lodgings such as hotels and motels; and

''(ii) material discarded for disposal that was generated by commercial, institutional, and industrial sources, to the extent that the material—

''(I)(aa) is essentially the same as material described in clause (i); or

''(bb) is collected and disposed of with material described in clause (i) as part of a normal municipal solid waste collection service; and

''(II) is not subject to regulation under subtitle C.

''(B) INCLUSIONS.—The term 'municipal solid waste' includes—

''(i) appliances;

''(ii) clothing;

''(iii) consumer product packaging;

''(iv) cosmetics;

''(v) debris resulting from construction, remodeling, repair, or demolition of a structure;

''(vi) disposable diapers;

''(vii) food containers made of glass or metal;

''(viii) food waste;

''(ix) household hazardous waste;

''(x) office supplies;

''(xi) paper; and

''(xii) yard waste.

''(C) EXCLUSIONS.—The term 'municipal solid waste' does not include—

''(i) solid waste identified or listed as a hazardous waste under section 3001, except for household hazardous waste;

''(ii) solid waste, including contaminated soil and debris, resulting from—

''(I) a response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604, 9606);

''(II) a response action taken under a State law with authorities comparable to the authorities contained in either of those sections; or

''(III) a corrective action taken under this Act;

''(iii) recyclable material—

''(I) that has been separated, at the source of the material, from waste destined for disposal; or

''(II) that has been managed separately from waste destined for disposal, including scrap rubber to be used as a fuel source;

''(iv) a material or product returned from a dispenser or distributor to the manufacturer or an agent of the manufacturer for credit, evaluation, and possible potential reuse;

''(v) solid waste that is—

''(I) generated by an industrial facility; and

''(II) transported for the purpose of treatment, storage, or disposal to a facility (which facility is in compliance with applicable State and local land use and zoning laws and regulations) or facility unit—

''(aa) that is owned or operated by the generator of the waste;

''(bb) that is located on property owned by the generator of the waste or a company with which the generator is affiliated; or

''(cc) the capacity of which is contractually dedicated exclusively to a specific generator;

''(vi) medical waste that is segregated from or not mixed with solid waste;

''(vii) sewage sludge or residuals from a sewage treatment plant;

''(viii) combustion ash generated by a resource recovery facility or municipal incinerator; or

''(ix) waste from a manufacturing or processing (including pollution control) operation that is not essentially the same as waste normally generated by households.

''(b) MANAGEMENT OF FOREIGN MUNICIPAL SOLID WASTE.—

''(1) STATE ACTION.—

''(A) IN GENERAL.—Except as provided in paragraph (2) and subject to subparagraph (B), until the date on which the Administrator promulgates regulations to implement and enforce the Agreement (including notice and consent provisions of the Agreement), a State may enact 1 or more laws, promulgate regulations, or issue orders imposing limitations on the receipt and disposal of foreign municipal solid waste within the State.

''(B) NO EFFECT ON EXISTING AUTHORITY.—A State law, regulation, or order that is enacted, promulgated, or issued before the date on which the Administrator promulgates regulations under subparagraph (A)—

''(i) may continue in effect after that date; and

''(ii) shall not be affected by the regulations promulgated by the Administrator.

''(2) EFFECT ON INTERSTATE AND FOREIGN COMMERCE.—No State action taken in accordance with this section shall be considered—

''(A) to impose an undue burden on interstate or foreign commerce; or

''(B) to otherwise impair, restrain, or discriminate against interstate or foreign commerce.

''(3) TRADE AND TREATY OBLIGATIONS.—Nothing in this section affects, replaces, or amends prior law relating to the need for consistency with international trade obligations.

''(c) AUTHORITY OF ADMINISTRATOR.—

''(1) IN GENERAL.—Beginning immediately after the date of enactment of this section, the Administrator shall—

''(A) perform the functions of the Designated Authority of the United States described in the Agreement with respect to the importation and exportation of municipal solid waste under the Agreement; and

''(B) implement and enforce the Agreement (including notice and consent provisions of the Agreement).

''(2) REGULATIONS.—Not later than 2 years after the date of enactment of this section, the Administrator shall promulgate final regulations with respect to the responsibilities of the Administrator under paragraph (1).

''(3) CONSENT TO IMPORTATION.—In considering whether to consent to the importation of Canadian municipal solid waste under article 3(c) of the Agreement, the Administrator shall—

''(A) give substantial weight to the views of each State into which the foreign municipal solid waste is to be imported, and consider the views of the local government with jurisdiction over the location at which the waste is to be disposed;

''(B) consider the impact of the importation on—

''(i) continued public support for and adherence to State and local recycling programs;

''(ii) landfill capacity as provided in comprehensive waste management plans;

''(iii) air emissions from increased vehicular traffic; and

''(iv) road deterioration from increased vehicular traffic; and

''(C) consider the impact of the importation on—

''(i) homeland security;

''(ii) public health; and

''(iii) the environment.

''(4) ACTIONS IN VIOLATION OF THE AGREEMENT.—No person shall import, transport, or export municipal solid waste for final disposal or for incineration in violation of the Agreement.

''(d) COMPLIANCE ORDERS.—

''(1) IN GENERAL.—If, on the basis of any information, the Administrator determines that any person has violated or is in violation of this section, the Administrator may—

''(A) issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both; or

''(B) commence a civil action in the United States district court in the district in which the violation occurred for appropriate relief, including a temporary or permanent injunction.

''(2) SPECIFICITY.—Any order issued pursuant to this subsection shall state with reasonable specificity the nature of the violation.

''(3) MAXIMUM AMOUNT OF PENALTY.—Any penalty assessed in an order described in paragraph (1) shall not exceed $25,000 per day of noncompliance for each violation.

''(4) PENALTY ASSESSMENT.—In assessing a penalty under paragraph (1), the Administrator shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

''(e) PUBLIC HEARING.—

''(1) IN GENERAL.—Any order issued under this section shall become final unless, not later than 30 days after the date on which the order is served, 1 or more persons named in the order request a public hearing.

''(2) PROCEDURE FOR HEARING.—The Administrator—

''(A) shall promptly conduct a public hearing on receipt of a request under paragraph (1);

''(B) in connection with any proceeding under this section, may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents; and

''(C) may promulgate rules for discovery procedures.

''(f) VIOLATION OF COMPLIANCE ORDERS.—If a violator fails to take corrective action within the time specified in a compliance order issued under this section, the Administrator may assess a civil penalty of not more than $25,000 for each day of continued noncompliance with the order.''.

(b) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. prec. 6901) is amended by adding after

the item relating to section 4010 the following:

''Sec. 4011. Foreign municipal solid waste''.

Mr. LEVIN. Mr. President, every week, thousands of truckloads of solid municipal waste are being imported into the United States for disposal in US. landfills. Most of these shipments enter at three border crossings in Michigan: Port Huron, Sault Ste. Marie, and Detroit. Canadian shipments are entering this country' without regulatory controls to protect the environment and public safety as required by a treaty between the US. and Canada. The loads of municipal solid waste are more than just a nuisance. Canada's weekly importation of thousands of truckloads of trash into Michigan is a potential threat to our environment, health, and security.

I join with my colleague Senator STABENOW today in introducing S. 1198, the companion to H.R. 2491, which was reported by the House Energy and Commerce Subcommittee on Environment and Hazardous Waste today. It is long overdue for Congress to address this critical issue for Michigan and the rest of the U.S. This bill has the support of the entire Michigan Congressional delegation.

Our legislation requires the EPA Administrator to implement regulations enforcing terms of the United States-Canada treaty within 24 months, and it gives States the authority to regulate foreign waste transported into the U.S. until those regulations to implement and enforce the treaty become effective. Our bill implements the treaty's requirement that the Canadian environmental department notify the EPA of each shipment of waste that enters the United States. The EPA then has 30 days to object to the shipment or accept it.

I believe this legislation will help to protect the health and environment of the people of Michigan. I am pleased to have worked on this bipartisan initiative with the other members of our State's congressional delegation and with Gov. Jennifer Granholm. I urge the members of the Senate Environment and Public Works Committee to take action on this legislation as quickly as possible.

By Mr. BURNS:

S. 1199. A bill to amend title II of the Social Security Act to shorten the waiting period for social security disability benefits for individuals with mesothelioma; to the Committee on Finance.

Mr. BURNS. Mr. President, I come to the floor today to introduce legislation that would significantly reduce the Social Security Disability payment waiting period for people diagnosed with the fatal cancer of mesothelioma.

Seventy to eighty percent of all documented cases of mesothelioma share the common denominator of a history of asbestos. While symptoms of mesothelioma can remain latent over many decades, this rare cancer violently attacks its victims, and drastically reduce their life expectancy.

The Social Security Administration currently has a mandatory five-month ''waiting period'' for all people applying for disability. The victims of mesothelioma simply cannot wait 5 months for their disability payments to begin. This bill will significantly reduce the waiting period from 5 months to 30 days for victims of mesothelioma.

I encourage my colleagues to support this measure and join me in ensuring these victims get their payments in a timely fashion.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Prompt Disability Payment to Mesothelioma Victims Act of 2005''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Mesothelioma is a quickly advancing form of cancer.

(2) Most cases of mesothelioma arise from exposure to asbestos fibers.

(3) The National Cancer Institute estimates that in 2002, approximately 2,000 new mesothelioma diagnoses were made in the United States.

SEC. 3. SHORTENED WAITING PERIOD FOR SOCIAL SECURITY DISABILITY BENEFITS FOR INDIVIDUALS WITH MESOTHELIOMA.

(a) IN GENERAL.—Section 223(c)(2) of the Social Security Act (42 U.S.C. (c)(2)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''(or, in the case of an individual with mesothelioma, 30 days)'' after ''months''; and

(2) in subparagraph (B)—

(A) in clause (i), by inserting ''(or, in the case of an individual with mesothelioma, the thirteenth month)'' after ''seventeenth month''; and

(B) in clause (ii), by inserting ''(or, in the case of an individual with mesothelioma, such thirteenth month)'' after ''such seventeenth month''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply to applications for disability benefits filed or pending on or after the date of enactment of this Act and to any individuals with filed applications for such benefits as of that date who are within a waiting period on such date.

By Mr. ALLARD:

S. 1202. A bill to provide environmental assistance to non-Federal interests in the State of Colorado; to the Committee on Environment and Public Works.

Mr. ALLARD. Mr. President, the ability of communities to provide its citizens with clean, safe drinking water is one of the most important public utility services any municipality can offer. I support many of the goals of the Clean Water Act and believe that the United States has made great progress in eliminating dangerous substances from drinking water. It has helped make our national drinking water infrastructure more reliable and more effective. Unfortunately, many of the small, financially strapped, rural communities in Colorado cannot meet the obligations of the Clean Water Act or the regulations of the Environmental Protection Agency because of increasingly onerous unfunded Federal drinking water mandates, As a result, communities in my home State are faced with two options: increase taxes and utility rates to exorbitant levels or end municipal water delivery. Neither option is acceptable.

That is why I am introducing the Rural Colorado Water Infrastructure Act, a bill that will allow Colorado to participate in a program known as Section 595 of the Water Resources Development Act. My legislation authorizes $50 million for design and construction assistance to non-Federal interests in the most desperate Colorado communities for publicly owned water related environmental infrastructure and resource protection and development projects.

The Rural Colorado Water Infrastructure Act will allow local communities to enter into cost share agreements with the U.S. Corps of Engineers to develop wastewater treatment and related facility water supply, conservation and related facilities, storm water retention and remediation, environmental restoration, and surface water resources protection and development.

Cities in Colorado like Alamosa, Sterling, and Julesburg that face enormous costs to develop new facilities may be able to utilize the program and save themselves from economic hardship. The Corps of Engineers Section 595 program has been a great ally to many Western States, and, under my legislation, Colorado would also be able to benefit from this successful public-private partnership.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1202

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rural Colorado Water Infrastructure Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Army, acting through the Chief of Engineers.

(2) STATE.—The term ''State'' means the State of Colorado.

SEC. 3. PROGRAM.

(a) ESTABLISHMENT.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in the State.

(b) FORM OF ASSISTANCE.—Assistance under this section may be provided in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in the State, including projects for—

(1) wastewater treatment and related facilities;

(2) water supply and related facilities;
(3) water conservation and related facilities;
(4) stormwater retention and remediation;
(5) environmental restoration; and
(6) surface water resource protection and development.

(c) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, III consultation and coordination with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement entered into under this subsection—

(i) shall be 75 percent; and

(ii) may be in the form of grants or reimbursements of project costs.

(B) PRE-COOPERATIVE AGREEMENT ACTIVITIES.—The Federal share of the cost of activities carried out by the Secretary under this section before the execution of a local coopera- tive agreement shall be 100 percent.

(C) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit, not to exceed 6 percent of the total construction costs of a project, for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for the project.

(D) CREDIT FOR INTEREST.—In case of a delay in the funding of the Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the Federal share of the costs of the project.

(E) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT. The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(F) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for the period beginning with fiscal year 2006, to remain available until expended.

By Mr. DODD (for himself, Mr. DURBIN, and Ms. STABENOW):

S. 1204. A bill to encourage students to pursue graduate education and to assist students in affording graduate education; to the Committee on Finance.

Mr. DODD. Mr. President, I rise today with Senators DURBIN and STABENOW to introduce GRAD, the Getting Results for Advanced Degrees Act. The purpose of this bill is to encourage students to pursue graduate education and to assist them in affording it.

The percentage of individuals pursuing graduate education has increased dramatically in recent decades as individuals seek the education and skills needed to participate in a global economy. In the last 25 years alone, graduate enrollment in the United States has increased by 38 percent bringing the number of graduate students in this country to 1.85 million.

The benefits of graduate education for our country are enormous. This year's graduate and professional students are the doctors, scientists, and inventors of tomorrow. Their ideas and innovations will be the basis of America's economic strength in the years to come. The benefits for individuals are significant as well. The median earnings of a worker with a master's degree are twice that of a high school graduate and $10,000 more than an individual with a bachelor's degree. The median earnings of a worker with a doctoral degree are 2½ times that of a high school graduate, $30,000 more than an individual with a bachelor's degree and $20,000 more than someone with a master's. An individual with a professional degree can expect to make three times the amount of a high school graduate, almost double the amount of an individual with a bachelor's, $35,000 more than individuals with a master's and $15,000 more than someone with a doctoral degree. Clearly, one's earning power increases, in some cases exponentially, with increasing education.

Despite the immediate and long-term benefits of graduate education for individuals and our Nation as a whole, graduate education is, for many, financially out of reach. In 2002–03 the average graduate school tuition at public institutions was $4,855 and $15,279 at private institutions. The average debt reported by graduate students today is $45,900. For medical students it is $115,000, for dental students it is $122,000 and for law students it is $86,000. These are astounding figures.

To increase access to graduate education, I have put together a series of proposals that will make graduate and professional school more accessible affordable for all qualified applicants, the Getting Results for Advanced Degrees Act. First, the GRAD Act raises the authorization levels of GAANN, the Graduate Assistance in Areas of National Need Program and the Jacob Javits Fellowship Program so that there are more opportunities at more universities for students to pursue advanced degrees. GAANN supports graduate study in areas of national need such as chemistry, computer science, engineering, and physics, while the Jacob Javits Program helps support graduate study in the arts, humanities and social sciences.

To encourage greater participation by minority students in advanced programs the GRAD Act creates the Patsy T. Mink Fellowship Program. Named for former Congresswoman Patsy Mink, the first woman of Asian descent and the first woman of color to serve in the U.S. Congress, this program would offer assistance to underrepresented minorities pursuing doctoral degrees. It is fitting that such a program be named after Congresswoman Mink, a long-time champion for immigrants, minorities, women and children. I can think of no better tribute to her lifetime achievements than this program.

To help students afford the costs of graduation education, the GRAD Act expands the tax-exempt status of scholarships to treat reasonable room-and-board allowances as part of permitted higher education expenses. GRAD revises the cost of attendance calculations for financial aid for students with dependents to reflect the true cost-of-living expenses for themselves and the families that they support. GRAD also increases the unsubsidized Stafford loan limit for graduate and professional students from $10,000 to $12,000 so they are less likely to have to turn to more expensive private loans.

Mr. President, the Getting Results for Advanced Degrees Act will help students meet the financial challenges faced in pursuing graduate studies. The act strengthens programs that support graduate students in areas of vital importance to our nation and makes assistance available to underrepresented minority students pursuing a doctoral degree. By helping students to pursue and afford graduate education, the GRAD Act will help individuals, families and the nation as a whole recognize and achieve the important benefits of graduate education.

I hope my colleagues will join me in support of graduate education by supporting this bill. By working together, I believe that the Senate can act to ensure that more individuals are able to pursue graduate education and assist our nation in meeting the challenges faced in a global economy. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1204

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Getting Results for Advanced Degrees Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) From 1976 to 2000, graduate enrollment in the United States increased 38 percent. In the fall of 2000, there were 1,850,000 graduate students enrolled in the United States.

(2) In 2003, 84 percent of graduate students in the United States were citizens of the

United States or resident aliens, and 16 percent were temporary residents who were foreign or international students.

(3) In a 2002 borrower's survey, the average debt reported by graduate students was $45,900.

(4) In 1999–2000, 60 percent of all graduate and first-professional students, and 82 percent of those enrolled full-time and full-year, received some type of financial aid, including grants, loans, assistantships, or work study. The average amount of aid received by aided full-time, full-year students was approximately $19,500 per year.

(5) Annual aid in the form of grants to full-time, full-year recipients was awarded in larger average amounts to doctoral students ($13,400) than to either master's students ($7,600) or first-professional students ($6,900). First-professional students took out larger loans on average overall ($20,100) than did their counterparts at the master's level ($14,800) and doctoral level ($14,100).

(6) Median annual earnings in 2003 increased with educational attainment. There was a substantial earnings differential from the highest to the lowest levels of attainment:

(A) The median earnings of workers who had a master's degree were almost twice those of high school graduates and $10,000 more than those of individuals with a bachelor's degree.

(B) The median earnings of workers who had a doctoral degree were 2½ times those of high school graduates, $30,000 more than those of individuals with a bachelor's degree, and $20,000 more than those of individuals with a master's degree.

(C) The median earnings of workers with a professional degree were more than 3 times those of high school graduates, almost double those of individuals with a bachelor's degree, $35,000 more than those of individuals with a master's degree, and $15,000 more than those of individuals with a doctoral degree.

SEC. 3. JACOB K. JAVITS FELLOWSHIP PROGRAM.

(a) CRITERIA FOR AWARDS.—Section 701(a) of the Higher Education Act of 1965 (20 U.S.C. 1134(a)) is amended by striking '', financial need,''.

(b) QUALIFICATIONS OF BOARD.—Section 702(a) of the Higher Education Act of 1965 (20 U.S.C. 1134a(a)) is amended by striking paragraph (1) and inserting the following:

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Secretary shall appoint a Jacob K. Javits Fellows Program Fellowship Board (referred to in this subpart as the 'Board') consisting of 9 individuals representative of both public and private institutions of higher education who are especially qualified to serve on the Board.

''(B) QUALIFICATIONS.—In making appointments under subparagraph (A), the Secretary shall—

''(i) give due consideration to the appointment of individuals who are highly respected in the academic community;

''(ii) assure that individuals appointed to the Board are broadly representative of a range of disciplines in graduate education in arts, humanities, and social sciences;

''(iii) appoint members to represent the various geographic regions of the United States; and

''(iv) include representatives from minority serving institutions.''.

(c) AMOUNT OF STIPENDS.—Section 703(a) of the Higher Education Act of 1965 (20 U.S.C. 1134b(a)) is amended by striking ''graduate fellowships,'' and all that follows through the period and inserting ''Graduate Research Fellowship Program.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 705 of the Higher Education Act of 1965 (20 U.S.C. 1134d) is amended by striking ''$30,000,000 for fiscal year 1999'' and inserting ''$35,000,000 for fiscal year 2006''.

SEC. 4. GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED.

(a) APPLICATION CONTENTS.—Section 713(b)(5) of the Higher Education Act of 1965 (20 U.S.C. 1135b(b)(5)) is amended—

(1) by striking subparagraph (A); and

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(b) AMOUNT OF STIPENDS.—Section 714(b) of the Higher Education Act of 1965 (20 U.S.C. 1135c(b)) is amended by striking ''graduate fellowships,'' and all that follows through the period and inserting ''Graduate Research Fellowship Program.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 716 of the Higher Education Act of 1965 (20 U.S.C. 1135e) is amended by striking ''$35,000,000 for fiscal year 1999'' and inserting ''$50,000,000 for fiscal year 2006''.

(d) TECHNICAL AMENDMENTS.—Section 714(c) of the Higher Education Act of 1965 (20 U.S.C. 1135c(c)) is amended—

(1) by striking ''716(a)'' and inserting ''715(a)''; and

(2) by striking ''714(b)(2)'' and inserting ''713(b)(2)''.

SEC. 5. PATSY T. MINK FELLOWSHIP PROGRAM.

Part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1134 et seq.) is amended—

(1) by redesignating subpart 4 as subpart 5;

(2) by redesignating section 731 as section 740;

(3) in section 740 (as redesignated by paragraph (2))—

(A) in the section heading, by striking ''**AND 3.**'' and inserting ''**3, AND 4.**'';

(B) in subsection (a), by striking ''and 3'' and inserting ''3, and 4'';

(C) in subsection (b), by striking ''and 3'' and inserting ''3, and 4''; and

(D) in subsection (d), by striking ''or 3'' and inserting ''3, or 4''; and

(4) by inserting after subpart 3 the following:

''Subpart 4—Patsy T. Mink Fellowship Program

''SEC. 731. PURPOSE AND DESIGNATION.

''(a) PURPOSE.—It is the purpose of this subpart to provide, through eligible institutions, a program of fellowship awards to assist highly qualified minorities and women to acquire the doctoral degree, or highest possible degree available, in academic areas in which such individuals are underrepresented for the purpose of enabling such individuals to enter the higher education professoriate.

''(b) DESIGNATION.—Each recipient of a fellowship award from an eligible institution receiving a grant under this subpart shall be known as a 'Patsy T. Mink Graduate Fellow'.

''SEC. 732. DEFINITION OF ELIGIBLE INSTITUTION.

''In this subpart, the term 'eligible institution' means an institution of higher education, or a consortium of such institutions, that offers a program of postbaccalaureate study leading to a graduate degree.

''SEC. 733. PROGRAM AUTHORIZED.

''(a) GRANTS BY SECRETARY.—

''(1) IN GENERAL.—The Secretary shall award grants to eligible institutions to enable such institutions to make fellowship awards to individuals in accordance with the provisions of this subpart.

''(2) PRIORITY CONSIDERATION.—In awarding grants under this subpart, the Secretary shall consider the eligible institution's prior experience in producing doctoral degree, or highest possible degree available, holders who are minorities and women, and shall give priority consideration in making grants under this subpart to those eligible institutions with a demonstrated record of producing minorities and women who have earned such degrees.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—An eligible institution that desires a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) APPLICATIONS MADE ON BEHALF.—

''(A) IN GENERAL.—The following entities may submit an application on behalf of an eligible institution:

''(i) A graduate school or department of such institution.

''(ii) A graduate school or department of such institution in collaboration with an undergraduate college or university of such institution.

''(iii) An organizational unit within such institution that offers a program of postbaccalaureate study leading to a graduate degree, including an interdisciplinary or an interdepartmental program.

''(iv) A nonprofit organization with a demonstrated record of helping minorities and women earn postbaccalaureate degrees.

''(B) NONPROFIT ORGANIZATIONS.—Nothing in this paragraph shall be construed to permit the Secretary to award a grant under this subpart to an entity other than an eligible institution.

''(c) SELECTION OF APPLICATIONS.—In awarding grants under subsection (a), the Secretary shall—

''(1) take into account—

''(A) the number and distribution of minority and female faculty nationally;

''(B) the current and projected need for highly trained individuals in all areas of the higher education professoriate; and

''(C) the present and projected need for highly trained individuals in academic career fields in which minorities and women are underrepresented in the higher education professoriate; and

''(2) consider the need to prepare a large number of minorities and women generally in academic career fields of high national priority, especially in areas in which such individuals are traditionally underrepresented in college and university faculties.

''(d) DISTRIBUTION AND AMOUNTS OF GRANTS.—

''(1) EQUITABLE DISTRIBUTION.—In awarding grants under this subpart, the Secretary shall, to the maximum extent feasible, ensure an equitable geographic distribution of awards and an equitable distribution among public and independent eligible institutions that apply for grants under this subpart and that demonstrate an ability to achieve the purpose of this subpart.

''(2) SPECIAL RULE.—To the maximum extent practicable, the Secretary shall use not less than 50 percent of the amount appropriated pursuant to section 736 to award grants to eligible institutions that—

''(A) are eligible for assistance under title III or title V; or

''(B) have formed a consortium that includes both non-minority serving institutions and minority serving institutions.

''(3) ALLOCATION.—In awarding grants under this subpart, the Secretary shall allocate appropriate funds to those eligible institutions whose applications indicate an ability to significantly increase the numbers of minorities and women entering the higher education professoriate and that commit institutional resources to the attainment of the purpose of this subpart.

''(4) NUMBER OF FELLOWSHIP AWARDS.—An eligible institution that receives a grant under this subpart shall make not less than 15 fellowship awards.

''(5) REALLOTMENT.—If the Secretary determines that an eligible institution awarded a grant under this subpart is unable to use all of the grant funds awarded to the institution, the Secretary shall reallot, on such date during each fiscal year as the Secretary may fix, the unused funds to other eligible institutions that demonstrate that such institutions can use any reallocated grant funds to make fellowship awards to individuals under this subpart.

''(e) INSTITUTIONAL ALLOWANCE.—

''(1) IN GENERAL.—

''(A) NUMBER OF ALLOWANCES.—In awarding grants under this subpart, the Secretary shall pay to each eligible institution awarded a grant, for each individual awarded a fellowship by such institution under this subpart, an institutional allowance.

''(B) AMOUNT.—Except as provided in paragraph (3), an institutional allowance shall be in an amount equal to, for academic year 2006–2007 and succeeding academic years, the amount of institutional allowance made to an institution of higher education under section 715 for such academic year.

''(2) USE OF FUNDS.—Institutional allowances may be expended in the discretion of the eligible institution and may be used to provide, except as prohibited under paragraph (4), academic support and career transition services for individuals awarded fellowships by such institution.

''(3) REDUCTION.—The institutional allowance paid under paragraph (1) shall be reduced by the amount the eligible institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient's instructional program.

''(4) USE FOR OVERHEAD PROHIBITED.—Funds made available under this subpart may not be used for general operational overhead of the academic department or institution receiving funds under this subpart.

''SEC. 734. FELLOWSHIP RECIPIENTS.

''(a) AUTHORIZATION.—An eligible institution that receives a grant under this subpart shall use the grant funds to make fellowship awards to minorities and women who are enrolled at such institution in a doctoral degree, or highest possible degree available, program and—

''(1) intend to pursue a career in instruction at—

''(A) an institution of higher education (as the term is defined in section 101);

''(B) an institution of higher education (as the term is defined in section 102(a)(1));

''(C) an institution of higher education outside the United States (as the term is described in section 102(a)(2)); or

''(D) a proprietary institution of higher education (as the term is defined in section 102(b)); and

''(2) sign an agreement with the Secretary agreeing to begin employment at an institution described in paragraph (1) not later than 5 years after receiving the doctoral degree or highest possible degree available, and to be employed by such institution for 1 year for each year of fellowship assistance received under this subpart.

''(b) FAILURE TO COMPLY.—If an individual who receives a fellowship award under this subpart fails to comply with the agreement signed pursuant to subsection (a)(2), then the Secretary shall do 1 or both of the following:

''(1) Require the individual to repay all or the applicable portion of the total fellowship amount awarded to the individual by converting the balance due to a loan at the interest rate applicable to loans made under part B of title IV.

''(2) Impose a fine or penalty in an amount to be determined by the Secretary.

''(c) WAIVER AND MODIFICATION.—

''(1) REGULATIONS.—The Secretary shall promulgate regulations setting forth criteria to be considered in granting a waiver for the service requirement under subsection (a)(2).

''(2) CONTENT.—The criteria under paragraph (1) shall include whether compliance with the service requirement by the fellowship recipient would be—

''(A) inequitable and represent a substantial hardship; or

''(B) deemed impossible because the individual is permanently and totally disabled at the time of the waiver request.

''(d) AMOUNT OF FELLOWSHIP AWARDS.—Fellowship awards under this subpart shall consist of a stipend in an amount equal to the level of support provided to the National Science Foundation graduate fellows, except that such stipend shall be adjusted as necessary so as not to exceed the fellow's tuition and fees or demonstrated need (as determined by the institution of higher education where the graduate student is enrolled), whichever is greater.

''(e) ACADEMIC PROGRESS REQUIRED.—An individual student shall not be eligible to receive a fellowship award—

''(1) except during periods in which such student is enrolled, and such student is maintaining satisfactory academic progress in, and devoting essentially full time to, study or research in the pursuit of the degree for which the fellowship support was awarded; and

''(2) if the student is engaged in gainful employment, other than part-time employment in teaching, research, or similar activity determined by the eligible institution to be consistent with and supportive of the student's progress toward the appropriate degree.

''SEC. 735. RULE OF CONSTRUCTION.

''Nothing in this subpart shall be construed to require an eligible institution that receives a grant under this subpart—

''(1) to grant a preference or to differentially treat any applicant for a faculty position as a result of the institution's participation in the program under this subpart; or

''(2) to hire a Patsy T. Mink Fellow who completes this program and seeks employment at such institution.

''SEC. 736. AUTHORIZATION OF APPROPRIATIONS.

''There is authorized to be appropriated to carry out this subpart $25,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

SEC. 6. COST OF ATTENDANCE FOR STUDENTS WITH 1 OR MORE DEPENDENTS.

Section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll) is amended by striking paragraph (8) and inserting the following:

''(8) for a student with 1 or more dependents—

''(A) an allowance based on the estimated actual expenses incurred for such dependent care, based on the number and age of such dependents, except that—

''(i) such allowance shall not exceed the reasonable cost in the community in which such student resides for the kind of care provided; and

''(ii) the period for which dependent care is required includes class-time, study-time, field work, internships, and commuting time; and

''(B) if the student is a graduate student, an allowance based on the estimated actual living expenses incurred for such dependents, based on the number and age of such dependents, including—

''(i) room and board for such dependents; and

''(ii) health insurance for such dependents;''.

SEC. 7. UNSUBSIDIZED STAFFORD LOAN LIMITS FOR GRADUATE AND PROFESSIONAL STUDENTS.

Section 428H(d)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1078–8(d)(2)(C)) is amended by striking ''$10,000'' and inserting ''$12,000''.

SEC. 8. ALLOWANCE OF ROOM, BOARD, AND SPECIAL NEEDS SERVICES IN THE CASE OF SCHOLARSHIPS AND TUITION REDUCTION PROGRAMS WITH RESPECT TO HIGHER EDUCATION.

(a) IN GENERAL.—Paragraph (1) of section 117(b) of the Internal Revenue Code of 1986 (defining qualified scholarship) is amended by inserting before the period at the end the following: ''or, in the case of enrollment or attendance at an eligible educational institution, for qualified higher education expenses''.

(b) DEFINITIONS.—Subsection (b) of section 117 of such Code is amended by adding at the end the following new paragraph:

''(3) QUALIFIED HIGHER EDUCATION EXPENSES; ELIGIBLE EDUCATIONAL INSTITUTION.—The terms 'qualified higher education expenses' and 'eligible educational institution' have the meanings given such terms in section 529(e).''.

(c) TUITION REDUCTION PROGRAMS.—Paragraph (5) of section 117(d) of such Code (relating to special rules for teaching and research assistants) is amended by striking ''shall be applied as if it did not contain the phrase '(below the graduate level)'.'' and inserting ''shall be applied—

''(A) as if it did not contain the phrase '(below the graduate level)', and

''(B) by substituting 'qualified higher education expenses' for 'tuition' the second place it appears.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to expenses paid after December 31, 2004 (in taxable years ending after such date), for education furnished in academic periods beginning after such date.

SEC. 9. PROGRAM FUNDING THROUGH TAX-EXEMPT SECURITIES.

(a) SPECIAL ALLOWANCES.—

(1) TECHNICAL CORRECTION.—Section 2 of the Taxpayer-Teacher Protection Act of 2004 (Public Law 108–409; 118 Stat. 2299) is amended in the matter preceding paragraph (1) by inserting ''of the Higher Education Act of 1965'' after ''Section 438(b)(2)(B)''.

(2) IN GENERAL.—Section 438(b)(2)(B) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(b)(2)(B)) (as amended by section 2 of the Taxpayer-Teacher Protection Act of 2004) is amended—

(A) in clause (iv), by striking ''1993, or refunded after September 30, 2004, and before January 1, 2006, the'' and inserting ''1993, or refunded on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004, the''; and

(B) by striking clause (v) and inserting the following:

''(v) Notwithstanding clauses (i) and (ii), the quarterly rate of the special allowance shall be the rate determined under subparagraph (A), (E), (F), (G), (H), or (I) of this paragraph, or paragraph (4), as the case may be, for loans—

''(I) originated, transferred, or purchased on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004;

''(II) financed by an obligation that has matured, been retired, or defeased on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004;

''(III) which the special allowance was determined under such subparagraphs or paragraph, as the case may be, on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004;

''(IV) for which the maturity date of the obligation from which funds were obtained for such loans was extended on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004; or

''(V) sold or transferred to any other holder on or after the date of enactment of the Taxpayer-Teacher Protection Act of 2004.''.

(3) RULE OF CONSTRUCTION.—Nothing in the amendment made by paragraph (2) shall be construed to abrogate a contractual agreement between the Federal Government and a student loan provider.

(b) AVAILABLE FUNDS FROM REDUCED EXPENDITURES.—Any funds available to the Secretary of Education as a result of reduced expenditures under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1) secured by the enactment of subsection (a) shall be used by the Secretary to carry out the programs and activities authorized under this Act.

By Mr. INHOFE:

S. 1205. A bill to require a study of the effects on disadvantaged individuals of actions by utilities intended to reduce carbon dioxide emissions, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. INHOFE. Mr. President, today I am introducing the Ratepayers Protection Act of 2005. This bill will ensure that the poor and elderly and other groups who are disproportionately harmed by rising energy prices are not forced to pick up the tab for utilities that incur costs to control carbon dioxide.

The science underlying the climate change theory does not justify the enormous expenditures mandatory climate bills would impose. Moreover, implementing these climate bills would have virtually no effect on reducing temperatures even if climate alarmists are correct. Yet those in our society least able to bear the costs of these mandatory schemes will be hit the hardest. With my bill, disadvantaged individuals will not be saddled with these costs.

I understand that this bill will be referred to the Energy Committee. I do not plan to move this bill as standalone bill, however, but instead to offer it as an amendment to any mandatory climate bill that sets caps on greenhouse gases.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Ratepayers Protection Act of 2005''.

SEC. 2. STUDY.

(a) DEFINITIONS.—In this section:

(1) DISADVANTAGED INDIVIDUAL.—The term ''disadvantaged individual'' means—

(A) an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);

(B) a member of a family whose income does not exceed the poverty line, as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902);

(C) an individual who belongs to a minority group;

(D) a senior citizen; and

(E) other disadvantaged individuals.

(2) UTILITY.—The term ''utility'' means any organization that—

(A) provides retail customers with electricity services; and

(B) is regulated, either by price or terms of service, by 1 or more State utility or public service commissions.

(b) STUDY.—Not later than 30 days after the date of enactment of this Act, the Congressional Budget Office, in consultation with other appropriate organizations, shall initiate a study to determine the effect on disadvantaged individuals of actions taken or considered, or likely to be taken or considered, by utilities to reduce the carbon dioxide emissions of the utilities.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Congressional Budget Office shall submit to Congress a report that specifically describes the results of the study, including the economic costs to disadvantaged individuals of actions by utilities intended to reduce carbon dioxide emissions.

(2) REVIEW PERIOD.—Congress shall have 180 days after the date of receipt by Congress of the report described in paragraph (1) to review the report.

(3) EFFECTIVE DATE.—If the Congressional Budget Office determines that there would be an additional economic burden on any of the classes of disadvantaged individuals if the costs of actions by utilities intended to reduce carbon dioxide emissions were recovered from ratepayers, the amendment made by section 3 shall take effect on the day after the end of the review period described in paragraph (2).

SEC. 3. UTILITY ACTIONS TO REDUCE CARBON DIOXIDE EMISSIONS.

The National Climate Program Act (15 U.S.C. 2901 et seq.) is amended by adding at the end the following:

''SEC. 9. UTILITY ACTIONS TO REDUCE CARBON DIOXIDE EMISSIONS.

''(a) DEFINITION OF UTILITY.—In this section, the term 'utility' means any organization that—

''(1) provides retail customers with electricity services; and

''(2) is regulated, either by price or terms of service, by 1 or more State utility or public service commissions.

''(b) RATEPAYER PROTECTIONS.—

''(1) IN GENERAL.—No utility may recover from ratepayers any costs, expenses, fees, or other outlays incurred for the stated purpose by the utility to reduce carbon dioxide emissions.

''(2) PROHIBITION ON CERTAIN COMMISSION ACTIONS.—No State utility commission, public service commission, or similar entity may compel ratepayers to pay the costs, expenses, fees, or other outlays incurred for the stated purpose by a utility to reduce carbon dioxide emissions.

''(c) SHAREHOLDER OBLIGATIONS UNAFFECTED.—Nothing in this section prevents the shareholders of, or other parties associated with (other than ratepayers), a utility from paying for any action by the utility to reduce carbon dioxide emissions.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 163—DESIGNATING JUNE 5 THROUGH JUNE 11, 2005, AS ''NATIONAL HISPANIC MEDIA WEEK'', IN HONOR OF THE HISPANIC MEDIA OF AMERICA

Mr. DOMENICI (for himself, Mr. SALAZAR, Mr. MARTINEZ, and Mr. BINGAMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 163

Whereas for almost 470 years the United States has benefitted from the work of Hispanic writers and publishers;

Whereas over 600 Hispanic publications circulate over 20,000,000 copies every week in the United States;

Whereas 1 in 8 Americans is served by a Hispanic publication;

Whereas the Hispanic press informs many Americans about great political, economic, and social issues of our day;

Whereas the Hispanic press in the United States focuses in particular on informing and promoting the well being of our country's Hispanic community; and

Whereas commemorating the achievements of the Hispanic press acknowledges the important role the Hispanic press has played in United States history: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 5 through June 11, 2005, as ''National Hispanic Media Week'', in honor of the Hispanic Media of America; and

(2) encourages the people of the United States to observe the week with appropriate programs and activities.

SENATE RESOLUTION 164—AUTHORIZING THE PRINTING WITH ILLUSTRATIONS OF A DOCUMENT ENTITLED ''COMMITTEE ON APPROPRIATIONS, UNITED STATES SENATE, 138TH ANNIVERSARY, 1867–2005''

Mr. COCHRAN (for himself and Mr. BYRD) submitted the following resolution; which was considered and agreed to:

S. RES. 164

Resolved, That there be printed with illustrations as a Senate document a compilation of materials entitled ''Committee on Appropriations, United States Senate, 138th Anniversary, 1867–2005'', and that there be printed two thousand additional copies of such document for the use of the Committee on Appropriations.

AMENDMENTS SUBMITTED AND PROPOSED

SA 766. Mr. INOUYE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, to provide the necessary authority to the Secretary of Commerce for the establishment and implementation of a regulatory system for offshore aquaculture in the United States Exclusive Economic Zone, and for other purposes; which was ordered to lie on the table.

SA 767. Mr. INOUYE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, supra; which was ordered to lie on the table.

SA 768. Ms. SNOWE (for herself, Mr. STEVENS, and Mr. INOUYE) submitted an amendment intended to be proposed by her to the bill S. 1195, supra; which was ordered to lie on the table.

SA 769. Mr. STEVENS (for himself and Mr. INOUYE) submitted an amendment intended to be proposed by him to the bill S. 1195, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 766. Mr. INOUYE (for himself and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 1195, to provide the necessary